

104TH CONGRESS
2D SESSION

H. R. 3179

To modify various Federal health programs to make available certain services to women who are members of racial or ethnic minority groups, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1996

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Commerce, Economic and Educational Opportunities, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify various Federal health programs to make available certain services to women who are members of racial or ethnic minority groups, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness to Minority
5 Women Health Act”.

1 **SEC. 2. EXCEPTION TO AFDC INCOME AND RESOURCES AT-**
2 **TRIBUTION RULE FOR CERTAIN BATTERED**
3 **ALIENS.**

4 (a) IN GENERAL.—Section 415(f) of the Social Secu-
5 rity Act (42 U.S.C. 615(f)) is amended—

6 (1) in the matter preceding paragraph (1), by
7 striking “who is—” and inserting “who—”;

8 (2) in each of paragraphs (1) and (2), by in-
9 serting “is” before “admitted”;

10 (3) in paragraph (3), by inserting “is” before
11 “paroled”;

12 (4) in paragraph (4)—

13 (A) by inserting “is” before “granted”;

14 and

15 (B) by striking “or” at the end;

16 (5) in paragraph (5)—

17 (A) by inserting “is” before “a Cuban”;

18 and

19 (B) by striking the period at the end and
20 inserting a semicolon; and

21 (6) by adding at the end the following:

22 “(6) is battered by, or is the subject of extreme
23 cruelty (including physical acts resulting in physical
24 injury or a threat of physical injury, sexual abuse,
25 rape, or mental abuse) perpetrated by, the spouse or
26 other person who executed the affidavit of support

1 or similar agreement referred to in subsection (a)
2 with respect to the alien, but only after the first day
3 on which the battery or cruelty occurs after the alien
4 enters into the United States; or

5 “(7) is a dependent child, and a relative with
6 whom the child is living is battered by, or is the sub-
7 ject of extreme cruelty (including physical acts re-
8 sulting in physical injury or a threat of physical in-
9 jury, sexual abuse, rape, or mental abuse) per-
10 petrated by, the parent or other person who executed
11 the affidavit of support or similar agreement re-
12 ferred to in subsection (a) with respect to the alien,
13 but only after the first day on which the battery or
14 cruelty occurs after the alien enters into the United
15 States.”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) shall take effect 90 days after the date of
18 the enactment of this Act.

19 **SEC. 3. AMENDMENT TO THE FOOD STAMP ACT OF 1977.**

20 (a) IN GENERAL.—Section 5(i) of the Food Stamp
21 Act of 1977 (7 U.S.C. 2014(i)) is amended by adding at
22 the end the following:

23 “(F) If an alien is battered by the alien’s sponsor,
24 or is the subject of extreme cruelty perpetrated by the
25 sponsor, after such alien enters the United States, then

1 after the date the battery or cruelty occurs, this subsection
 2 (other than subparagraph (E) of paragraph (2)) shall not
 3 apply with respect to such alien and to any child of such
 4 alien less than 18 years of age and residing with such
 5 alien.”.

6 (b) The amendment made by subsection (a) shall take
 7 effect 90 days after the date of the enactment of this Act.

8 **SEC. 4. REQUIRING CERTAIN RECIPIENTS OF FEDERAL FI-**
 9 **NANCIAL ASSISTANCE TO HAVE PERSONNEL**
 10 **AVAILABLE WHO SPEAK PREDOMINANT LAN-**
 11 **GUAGE USED IN AREA.**

12 (a) PROVIDERS OF OBSTETRICAL AND GYNECO-
 13 LOGICAL SERVICES.—

14 (1) MEDICAID.—Section 1903(i) of the Social
 15 Security Act (42 U.S.C. 1396b(i)) is amended—

16 (A) by striking “or” at the end of para-
 17 graph (14);

18 (B) by striking the period at the end of
 19 paragraph (15) and inserting “; or”; and

20 (C) by inserting after paragraph (15) the
 21 following new paragraph:

22 “(16) with respect to any amount expended for
 23 obstetrical or gynecological services furnished by or
 24 through a hospital, clinic, or other institutional pro-
 25 vider, unless the hospital, clinic, or provider has

1 available at least one individual who is able to com-
2 municate in the predominant language used by resi-
3 dents of the area in which the hospital, clinic, or
4 provider is located (as determined by the Secretary
5 on the basis of information provided by the Sec-
6 retary of Commerce pursuant to the most recent de-
7 cennial census).”.

8 (2) FAMILY PLANNING SERVICES.—Section
9 1001 of the Public Health Service Act (42 U.S.C.
10 300) is amended—

11 (A) by redesignating subsections (c) and
12 (d) as subsections (d) and (e), respectively; and

13 (B) by inserting after subsection (b) the
14 following subsection:

15 “(c) The Secretary may make a grant under this sec-
16 tion only if the applicant involved agrees to ensure that,
17 of the individuals providing services under the grant, at
18 least one will be an individual who is able to communicate
19 in the predominant language used by residents of the area
20 in which the family planning project involved is located
21 (as determined by the Secretary on the basis of informa-
22 tion provided by the Secretary of Commerce pursuant to
23 the most recent decennial census).”.

1 (3) EFFECTIVE DATE.—The amendments made
2 by this subsection shall apply to services furnished
3 on or after October 1, 1996.

4 (b) DOMESTIC VIOLENCE SHELTERS.—

5 (1) IN GENERAL.—The Family Violence Pre-
6 vention and Services Act (42 U.S.C. 10401 et seq.)
7 is amended by adding at the end the following new
8 section:

9 **“SEC. 319. AVAILABILITY OF BILINGUAL SERVICES.**

10 “No funds may be made available under this title for
11 any provider of shelter or related assistance unless the
12 provider has available at least one individual who is able
13 to communicate in the predominant language used by resi-
14 dents of the area in which the provider is located (as deter-
15 mined by the Secretary on the basis of information pro-
16 vided by the Secretary of Commerce pursuant to the most
17 recent decennial census).”.

18 (2) EFFECTIVE DATE.—The amendment made
19 by paragraph (1) shall apply to funds made available
20 on or after October 1, 1996.

21 **SEC. 5. STUDY REGARDING DOMESTIC VIOLENCE AND**
22 **LATINA WOMEN.**

23 (a) IN GENERAL.—With respect to cases of domestic
24 violence in which Latina women are the victims, the Sec-
25 retary of Health and Human Services, in consultation with

1 the Attorney General of the United States, shall conduct
2 a study for the following purposes:

3 (1) To determine the incidence of such cases,
4 and to provide a comparison of such estimate with
5 the relevant incidence for other populations of
6 women (utilizing existing data regarding such other
7 populations).

8 (2) To determine whether and to what extent
9 the causes and effects for such cases are different
10 than for cases of domestic violence in which other
11 populations of women are the victims (utilizing exist-
12 ing data regarding such other populations).

13 (b) REPORT.—Not later than 3 years after the date
14 of the enactment of this Act, the Secretary of Health and
15 Human Services shall submit to the Congress a report de-
16 scribing the findings made in the study under subsection
17 (a).

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